

Chair David Ure
Director Kevin Carter

Board of Trustees
School & Institutional Trust Lands Administration
Salt Lake City, Utah

October 23, 2014

Minutes

Attending:

Board

David Ure
Louie Cononelos
Jim Lekas
Tom Bachtell
Scott Ruppe
Lonnie Bullard
Mike Mower

Staff

Kevin Carter
Ron Carlson
Tom Faddies
Lisa Schneider
LaVonne Garrison
Rodger Mitchell
Kim Christy
Deena Loyola
John Andrews
Eric Baim
Bradford MacGowan
Nannette Johnson

Others in Attendance:

Mel Brown, Legislature
Robert Axsom, Senator Lee's Office
Sterling Brown, Utah Farm Bureau Federation
Jim Riley, SITLA Contractor
Tim Donaldson, Utah State Office of Education
Aaron Garrett, Utah State Office of Education
Paula Plant, Utah State Office of Education
Karen Rupp, Utah State Office of Education
Rob Simmons, Office of Energy Development
Stuart Clawson, Office of Energy Development
Margaret Bird, Universities
Trudy Henderson, UEA
Tracy Miller, Utah PTA

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1. Welcome

Chairman Ure welcomed those in attendance thanked everyone for the hard work to plan and conduct a successful Board tour.

a. Approval of the Minutes of September 18, 2014

The Board approved the minutes of the last meeting held on September 18, 2014. Mike Mower did not vote on minutes since he was not able to attend the September meeting.

“I move we approve the minutes of September 18, 2014.”

Motion:	Cononelos/Lekas	Unanimous
Roll Call:		
Dave Ure – yes	Louie Cononelos – yes	Jim Lekas – yes
Tom Bachtell – yes	Scott Ruppe – yes	Lonnie Bullard – yes

2. Confirmation of Upcoming Meeting Dates

November 20	Salt Lake City	June 18	Salt Lake City
December	No Meeting	July 19-23	Utah Hosts WSLCA
January 22	Salt Lake City	August 20	Salt Lake City
March 19	Salt Lake City	September 17	Salt Lake City
April 16	Possible Tour	October 15	Possible Tour
May 21	Salt Lake City	November 19	Salt Lake City

The Board requested the October meeting move to Thursday, October 22, 2015. The Board also requested suggestions for tour locations for spring and fall of 2015.

3. County Advisory Committee and Public Comment Period

No one in attendance requested time on the agenda to address the Board members.

4. Recruitment Discussion

The Board went into closed session for a discussion on recruitment of a future Director.

“I make the motion the Board goes into closed session for the purpose of a discussion about the recruitment process, a personnel discussion.”

Motion:	Lekas/Bachtell	Unanimous	
Roll Call:			
Dave Ure – yes	Louie Cononelos – yes	Jim Lekas – yes	Mike Mower – yes
Tom Bachtell – yes	Scott Ruppe – yes	Lonnie Bullard – yes	

Present in closed session were the seven board members, Kevin Carter, Tim Donaldson, and Nannette Johnson

“I move we return to open session and continue with the meeting agenda.”

Motion:	Bachtell/Lekas	Unanimous	
Roll Call:			
Dave Ure – yes	Louie Cononelos – yes	Jim Lekas – yes	Mike Mower – yes
Tom Bachtell – yes	Scott Ruppe – yes	Lonnie Bullard – yes	

Mr. Cononelos left the meeting following the recruitment discussion for travel to another obligation.

5. Consent Calendar

Consent

There were no consent items for October.

Notification

a. Minor Transaction - Green Springs Open Space Sale

Rodger Mitchell provided responses to Board member inquiries for acreage, an access road, and definition of drainage areas. The Board did not have any additional comments and the transaction will proceed with minor amendments.

b. The notification item was removed from the agenda prior to the meeting.

Follow-up after Six Months

c. OBA: Pavant Butte Metalliferous Mineral Lease

Dave Ure asked if the plans included having fences remain in place for grazers. Tom Faddies will include protection of fences in permits. There was no discussion to the contrary for this item; therefore, this OBA will continue as presented.

6. Chairman's Report

a. Staff Response to Beneficiary Report

The Board requested a response from staff for materials distributed by Tim Donaldson at the September meeting. Director Carter compiled staff responses in a single report and commented on the advantage of having multiple perspectives. The agency identified a few differences of perspective. Chairman Ure expressed appreciation for the conversation.

b. Update on Wildlife Advisory Committee for Appointment of a New Board Member

LaVonne Garrison provided a reminder of the purpose of the Wildlife Advisory Committee and reported the vacancy created by Casey Snyder's leaving for another assignment. The Board asked Ms. Garrison to canvas stakeholders for input on a search for a new wildlife representative who resides in Utah with reasonable accessibility to Salt Lake City for meetings.

7. Director's Report

a. Conference Reports

Director Carter reported on the Urban Water Institute Conference and outlined information on Colorado's drought issues. The conference discussions included consideration for impact on California and projected rain and snowfall trends for coming years.

b. Exchange Update

Representative Mel Brown attended the meeting to discuss Senator Hatch's proposed exchange for the Utah Testing and Training Range. Representative Brown expressed concern for the expedited manner the bill was presented, which limited the opportunity for research and public comment.

Sterling Brown of the Utah Farm Bureau Federation expressed matching concern for the proximity to the I-80 Corridor and the limited comment time identified by Representative Brown. He asked for further opportunities to conduct research and provide input.

Robert Axsom from Senator Lee's office provided background on the objectives for the bill and the timeline based on support for the action. Mr. Axsom spoke of the understanding for further discussion and opportunities for comment. He also expressed appreciation for the feedback received and the opportunity to continue talking as the draft legislation evolves.

Before ending the discussion, the Board recognized the terrific opportunity for the trust and hoped that the anxiety of the process does not overshadow the value of the exchange to the beneficiaries. All parties agreed to an extended period for consideration, research, and public comment before the bill resolves.

John Andrews continued the exchange discussion to outline the possibility of an exchange in Daggett County. He explained the consideration for the exchange is just beginning and there are several factors to review. The agency will collect information to identify conservation areas in the Clay Basin. Mr. Andrews will return with more information in future Board meetings.

c. Follow-up Reports of April Retreat Topics

This item was postponed to be heard at the November Board meeting.

d. Review Salary Ranges for Selected Positions

The Board went into closed session for a discussion of salary ranges.

"I move we go into closed session for the purpose of a discussion of salary ranges, which is a personnel discussion."

Motion:	Ruppe/Mower	Unanimous
Roll Call:		
Dave Ure – yes	Jim Lekas – yes	Mike Mower – yes
Tom Bachtell – yes	Scott Ruppe – yes	Lonnie Bullard – yes

Present in closed session were board members, Kevin Carter, Tim Donaldson, and Nannette Johnson

The Board returned to open session and voted to approve new salary ranges.

"I move we return to open session to take action on the closed session discussion."

Motion:	Lekas/Ruppe	Unanimous
Roll Call:		
Dave Ure – yes	Jim Lekas – yes	Mike Mower – yes
Tom Bachtell – yes	Scott Ruppe – yes	Lonnie Bullard – yes

"I move we approve salary range changes as presented by Director Carter (with one minor amendment) to adjust the ranges for Deputy Assistant Directors, the Finance Director, Audit Manager, and Resource Specialists.

Motion:	Lekas/Bachtell	Unanimous
Roll Call:		
Dave Ure – yes	Jim Lekas – yes	Mike Mower – yes
Tom Bachtell – yes	Scott Ruppe – yes	Lonnie Bullard – yes

8. Eastern Utah Water Acquisition Update

The Board went into closed session for a discussion of water acquisition.

“I move we go into closed session for the purpose of a discussion for purchases of real property.”

Motion:	Bullard/Mower	Unanimous
Roll Call:		
Dave Ure – yes	Jim Lekas – yes	Mike Mower – yes
Tom Bachtell – yes	Scott Ruppe – yes	Lonnie Bullard – yes

Those present for the discussion included seven Board members, Director Carter, SITLA staff, Tim Donaldson, Aaron Garrett, Paula Plant, Karen Rupp, and Jim Riley.

“I move we return to open session.”

Motion:	Lekas/Ruppe	Unanimous
Roll Call:		
Dave Ure – yes	Jim Lekas – yes	Mike Mower – yes
Tom Bachtell – yes	Scott Ruppe – yes	Lonnie Bullard – yes

Upon returning to open session the Board requested that LaVonne Garrison provide target areas for water acquisition related to potential oil and gas development projects in the Eastern Utah area.

9. Roundtable Discussion - - Deed Restrictions

The Board handled this item earlier in the meeting to accommodate closed session topics.

Rodger Mitchell recalled an earlier discussion of restrictions associated with long-term leases. He outlined how deed restrictions have traditionally been implemented for development and how the Archaeology group uses deed restrictions for cultural clearance.

Lonnie Bullard discussed problems with deed restrictions in the event of an owner’s death or other circumstances for lands to change ownership. The process to undo a restriction can be very difficult. However, a deed restriction owned by SITLA goes on as long as the agency exists and the removal by the agency is manageable.

Tom Bachtell referenced a restriction associated with a neighborhood that could one day become something different that does not benefit from the restriction.

Following a discussion for the best application of a deed restriction the Board determined that in development projects each deed restriction could be assessed on an individual basis.

Rodger Mitchell will provide justification when recommending a deed restriction.

Mr. Mower made a motion the Board adjourn the meeting, which was seconded by Jim Lekas.